

*CZ*  
68. The apparatus of claim 63, wherein said stabilizer includes at least a portion adapted to be within the orthopedic fixation device.

**REMARKS**

Entry of the present preliminary amendment is respectfully requested. As noted above, claims 1-34 as originally filed have been cancelled without prejudice, and new claims 35-67 have been presented. This amendment is being made following the allowance of parent application Serial No. 09/526,189 (now U.S. Patent No. 6,280,445) to define additional protectable subject matter. This amendment is not being offered to distinguish over prior art.

Further, the specification has been amended to add a paragraph specifically reciting and claiming benefit to prior U.S. utility and provisional patent applications. Applicant wishes to insure that the benefit of the applications noted in that new paragraph is claimed. No new matter has been included.

Accordingly, it is respectfully requested that these new claims 35-67 be examined and passed to allowance. The Examiner is invited to telephone the undersigned attorney at the number below if there are any questions concerning this application or amendment.

Respectfully submitted,

By   
Christopher A. Brown, Reg. No. 41,642  
Woodard, Emhardt, Naughton,  
Moriarty & McNett  
Bank One Center/Tower  
111 Monument Circle, Suite 3700  
Indianapolis, Indiana 46204-5137  
(317) 634-3456

4002-2817:CAB:141249



**IN THE SPECIFICATION**

**Please add the following as the first paragraph on page 1 of this application:**

This application is a continuation of U.S. Application Serial No. 09/526,189, now U.S. Patent No. 6,280,445, which claimed the benefit of U.S. Provisional Application Serial Nos. 60/149,774 and 60/129,587, and this application claims the benefits thereof under 35 U.S.C. 119(e) and 120.

**IN THE CLAIMS**

**Claims 1-34 have been canceled without prejudice to further consideration in this or a continuing application.**

**Claims 35-67 have been added.**